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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,092	07/31/2003	Azmie K. Madanat	NM-205	3200

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EXAMINER

LA, ANH V

ART UNIT	PAPER NUMBER
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2636

DATE MAILED: 06/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/633,092

Applicant(s)

MADANAT ET AL.

Examiner

Anh V. La

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/30/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. Claim 6 is objected to because in claim 6, the phrase "of the present invention" should be deleted and the phrase "i.e." should be changed to - -including --.

2. The drawings are objected to because there is no figure 4C in the drawings.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1, 6, and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Rebillt.

Regarding claim 1, Rebillt discloses a traffic signal assembly having greater visibility comprising a main body portion 7', a plurality of main colored indicator control lights 15, 17, 19 on at least one face of the main body portion, one or more peripheral auxiliary lamp portions 13 mounted on the at least one face of the main body portion and disposed essentially symmetrically, immediately around the plurality of main colored indicator control lights, and a controller for controlling illumination of both the plurality of main colored indicator control lights and the one or more auxiliary lamp portions (column 2, lines 20-30).

Regarding claim 6, Rebillt discloses a controller comprising color of outer peripheral lighted lam portion 13 changing according to and synchronized with the main

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colored signal indicator for the traffic signal 15, 17, 19 including green, yellow or red (col. 2, lines 20-30).

Regarding claim 7, Rebillt discloses a method for controlling a traffic signal in which one or more outer peripheral lamp portions 13 are illuminated in synchronization with illumination of the main red, green, and yellow 15, 17, 19 signal indicator lights (col.2, lines 20-30).

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rebillt.

Regarding claims 8-11, Rebillt discloses all the claimed subject matter as set forth above in the rejection of claim 7, but does not disclose the auxiliary lamp portions being red, yellow and green. It would have been obvious at the time the invention was made to person having ordinary skill in the art to include the auxiliary lamp portions being red, yellow and green as a choice of color for the purpose of providing greater visibility.

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7. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rebillt in view of Hart.

Regarding claim 2, Rebillt discloses all the claimed subject matter as set forth above in the rejection of claim 1, but does not disclose the auxiliary lamp portions being disposed on a backplate portion and extending through openings on at least one face of the main body housing. Hart teaches auxiliary lamp portions being disposed on a backplate portion and extending through openings on at least one face of a main body housing (figures 1-3). It would have been obvious at the time the invention was made to person having ordinary skill in the art to include the auxiliary lamp portions being disposed on a backplate portion and extending through openings on at least one face of the main body housing to the assembly of Rebillt as taught by Hart for the purpose of providing greater visibility.

8. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rebillt in view of Henry.

Regarding claims 3-5, Rebillt discloses all the claimed subject matter as set forth above in the rejection of claim 1, and further discloses clusters of auxiliary lamps (fig. 2-3), but does not disclose CCFLs. Henry teaches the choice of using neon or CCFL lights (column 16, lines 42-48). It would have been obvious at the time the invention was made to person having ordinary skill in the art to include CCFLs to the assembly of Rebillt as taught by Henry for the purpose of providing greater visibility.

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9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Loungway teaches a traffic signal.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V. La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


ANH V. LA
PRIMARY EXAMINER

Anh V La
Primary Examiner
Art Unit 2636

AI
June 23, 2005